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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

July 2007 Grand Jury '07 CR 2955 JM

UNITED STATES OF AMERICA, Plaintiff, v. GONZALO ARMANDO JAIMEZ-ALCANTARA, Defendant.	Criminal Case No. ________ I N D I C T M E N T Title 8, U.S.C., Secs. 1326(a) and (b) - Attempted Entry After Deportation; Title 18, U.S.C., Sec. 1544 - Misuse of Passport (Felony)

The grand jury charges:

Count 1

On or about September 9, 2007, within the Southern District of California, defendant GONZALO ARMANDO JAIMEZ-ALCANTARA, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the

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border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

It is further alleged that defendant GONZALO ARMANDO JAIMEZ-ALCANTARA, was removed from the United States subsequent to August 15, 1990.

Count 2

On or about September 9, 2007, within the Southern District of California, the defendant, GONZALO ARMANDO JAIMEZ-ALCANTARA, willfully and knowingly used United States Passport No. 039252324, which passport had been issued and designed for the use of another person, to wit, Avina Lorenzo Hernandez, in that the defendant presented the said passport to United States Department of Homeland Security Customs and Border Protection Officer T. Danek at San Ysidro Port of Entry, falsely claiming to be Avina Lorenzo Hernandez; in violation of Title 18, United States Code, Section 1544, a felony.

DATED: October 30, 2007.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By:
AARON B. CLARK
Assistant U.S. Attorney